

### **AMENDMENTS TO THE DRAWINGS**

In **Figure 3**, item **360** is changed from “Serializer” to “Deserializer” to conform to specification paragraph **[0035]**. Item **360** is explicitly referred to as “a deserializer” in paragraph **[0035]**. Item **314** is changed from “XGMII” to “XSBI” to conform with the specification paragraph **[0035]**. Item **314** is explicitly referred to as “XSBI” in paragraph **[0035]**.

### REMARKS / ARGUMENTS

Reconsideration of the application is respectfully requested in view of the following arguments. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

#### REMARKS ON AMENDMENTS TO THE SPECIFICATION

"[I]nformation contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter." Manual for Patent Examining Procedure (M.P.E.P.) Edition 8 Rev. 4 § 2163.06.

The amendments to the specification paragraphs [0036], [0037], [0039] correct obvious errors in terminology to conform with industry standard usage. Correcting obvious errors does not constitute the addition of new matter where one skilled in the art would not only recognize the existence of error in the specification but also the appropriate correction. *In re Odd*, 443 F.2d 1200 (CCPA 1971) (cited in the Manual for Patent Examining Procedure (M.P.E.P.) Edition 8 Rev. 4 § 2163.07(II)). A person having ordinary skill in the art would know that the standard industry term for the elemental data package in SONET is "frames" and in Ethernet is "packets," not vice versa.

The amendment to paragraph [0042] changes an obviously incorrect citation of an item label from the drawings. Correcting obvious errors does not constitute the addition of new matter where one skilled in the art would not only recognize the existence of error in the specification but also the appropriate correction. *In re Odd*, 443 F.2d 1200 (CCPA 1971). The citations of item 440 are obviously wrong and citations of 425 would be obviously correct. Item 440, a frequency configuration unit is found in the serializer 410 and the item 425 is the counter part frequency configuration unit found in the deserializer 405. Paragraph 0042 is a discussion of the deserializer. The frequency configuration unit in paragraph 0042 is described as a component of the deserializer 405 and is described as connecting only with other deserializer components. Thus the citations of item 440 are obviously wrong and citations of 425 would be obviously correct.

The amendments of paragraph [0050] change the drawing item numbers cited to conform the numbers of the items in the cited figures. “[I]nformation contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter.” Manual for Patent Examining Procedure (M.P.E.P.) Edition 8 Rev. 4 § 2163.06.

The amendment of paragraph [0051] corrects a typographical error that would be obvious to a person having ordinary skill in the art.

ARGUMENTS REGARDING CLAIM REJECTIONS IN THE LAST OFFICE ACTION

*Rejections based on 35 U.S.C. § 112 first paragraph*

The office action dated February 7, 2006 rejected all claims as failing to comply with the enablement requirement. Specifically, the office action ruled that the limitation of “a random algorithm to configure the serializer to a LAN or WAN mode” was not clearly enabled by the specification.

The claims containing the “random algorithm” limitation have been cancelled. The new claims **28-29** do not have such a limitation. Thus these rejections are now moot. The Applicant asserts that the new claims are in condition for allowance.


### CONCLUSION

Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Phil Hunt at (503) 439-6073. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
**BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP**

Date: \_\_\_\_\_

*7/1/2006*

  
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